



2. The Court has indefinitely adjourned the related case while there are ongoing VFM efforts. If the Mediator or the Parties advise the ADR Clerk that settlement is not successful, the Court will decide the pending motions for summary judgment and reset the remaining pretrial deadlines and trial date. (08-cv-1183, Dkt # 194).

3. In this case, preliminary expert disclosures are due from Plaintiff on October 1, 2011 and from Defendant on November 15, 2011. (Dkt # 14). Moreover, fact discovery is scheduled to close on December 15, 2011. Other deadlines related to discovery and experts are also approaching.

4. The Parties seek a stay of the above-captioned action to allow them to attempt to resolve this matter through settlement and to prevent them from having to unnecessarily expend resources in this litigation, including conducting further discovery and incurring costs related to experts, while the settlement process is ongoing.

WHEREFORE, the Parties respectfully request that the Court stay the deadlines and the trial date in this case and order that any party may request a telephone status conference with the Magistrate Judge in the event that impasse is reached in the settlement efforts so that the Court may reschedule all deadlines in a modified Case Management Order.

Respectfully submitted on September 29, 2011.

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